

111TH CONGRESS  
1ST SESSION

# H. R. 504

To amend title XVIII of the Social Security Act to cover hearing aids and auditory rehabilitation services under the Medicare Program.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 14, 2009

Mr. BILIRAKIS (for himself, Mr. SMITH of New Jersey, and Mr. FRANK of Massachusetts) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend title XVIII of the Social Security Act to cover hearing aids and auditory rehabilitation services under the Medicare Program.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Medicare Hearing En-  
5       hancement and Auditory Rehabilitation (HEAR) Act of  
6       2009”.

1 **SEC. 2. MEDICARE COVERAGE OF HEARING AIDS AND AUDI-**  
2 **TORY REHABILITATION SERVICES.**

3 (a) COVERAGE OF HEARING AIDS.—

4 (1) ELIMINATION OF EXCLUSION FROM COV-  
5 ERAGE.—Section 1862(a)(7) of the Social Security  
6 Act (42 U.S.C. 1395y(a)(7)) is amended by striking  
7 “hearing aids or examinations therefor,”.

8 (2) COVERAGE OF HEARING AIDS.—The Sec-  
9 retary of Health and Human Services shall establish  
10 national coverage determinations for hearing aids  
11 under title XVIII of the Social Security Act based  
12 on the coverage offered by other Federal benefit pro-  
13 grams, such as the Department of Veterans Affairs  
14 and Department of Defense, in consultation with  
15 hearing health professionals and trade organizations.

16 (b) COVERAGE OF AUDITORY REHABILITATION  
17 SERVICES.—

18 (1) IN GENERAL.—Section 1861 of the Social  
19 Security Act (42 U.S.C. 1395x) is amended—

20 (A) in subsection (s)(2)—

21 (i) in subparagraph (DD), by striking  
22 “and” at the end;

23 (ii) in subparagraph (EE), by adding  
24 “and” at the end; and

25 (iii) by adding at the end the fol-  
26 lowing new subparagraph:

1 “(FF) auditory services (as defined in sub-  
2 section (ll)(2));”; and

3 (B) in subsection (ll)(2), by inserting “and  
4 such rehabilitation and treatment services”  
5 after “hearing and balance assessment serv-  
6 ices”.

7 (2) CONFORMING PAYMENT AMENDMENT.—Sec-  
8 tion 1848(j)(3) of such Act (42 U.S.C. 1395w-  
9 4(j)(3)) is amended by inserting “(2)(FF),” after  
10 “(2)(EE),”.

11 (c) EFFECTIVE DATE.—The amendments made by  
12 this section shall apply to items and services furnished on  
13 or after January 1, 2010.

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